



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

nished the necessary protection, simultaneously developing his theory and presenting clearly the actual decisions. His independence is shown throughout. For example, he calls the "original package" doctrine, notwithstanding the weight of Marshall's name, anomalous and absurd (§ 17); and he questions *Swift v. United States* (§ 24); and he believes that decisions commonly based upon the Commerce Clause are sometimes properly explainable by the federal admiralty and maritime jurisdiction (§§ 26a, 43), or by the position of the Indians as wards of the nation (§ 30); and he disapproves both *Bowman v. Chicago & Northwestern Railway Co.* and *In re Rahrer* (§§ 98-99). These are only a few instances of the free and thoughtful discussion which gives the book a strong claim to respect. The treatment of taxation is especially acute (§§ 108-116). The whole volume deserves to be read by any one able and willing to read attentively; but the author's mode of thought and of expression will not attract a careless or hasty reader. For the lawyer who is simply in search of authorities, the volume performs the great service of collecting in the foot-notes—usually with some indication of the peculiarities of each case—an unusually complete collection of federal and state decisions.

E. W.

GREAT AMERICAN LAWYERS. Edited by William Draper Lewis. Volumes I-V. Philadelphia: The John C. Winston Company. 1907-1908. pp. xxxviii, 472, 533, 560, 546, 531. 8vo.

In the preface to the first volume of the *Great American Lawyers* Professor Lewis says: "The aim of this work is not to present a mere collection of biographical sketches of great American judges and lawyers of the past, but to give a history of the development of legal institutions. . . ." Further, in outlining the field to be covered by the biographies he has divided the whole into four distinct classes—members of the legal profession who have a permanent national reputation; those who have permanently impressed the jurisprudence of their respective states; those who have "through their teaching or by their writings produced, either a distinct effect on the law, or have been instrumental in stimulating new methods of legal thought and work"; and those whose lives make the collection "give as complete a history as possible of the legal profession in America, and the development of our legal institutions."

Although a collection covering such a large field should be looked upon as a unit and should not be judged by a fragment, the five volumes which have already appeared seem a fair basis upon which to form an opinion as to the probable success of the editor's undertaking. To the extent of these first volumes Professor Lewis has shown steadfast adherence to his purpose and has proceeded far enough to promise the complete fulfillment of his project as outlined. The biographies as a whole are so arranged as to show the historical development of the law in America both in the wide field of constitutional law and in the narrower but no less interesting field of the jurisprudence of many of the individual states. As a result of the necessary limitations in space each sketch is of much less extensive scope than the usual historical biography. Nevertheless, within the prescribed limits it has been possible to give a complete picture of the position of each individual in the legal world, large or small, and at the same time to portray the human characteristics of each man in vivid and attractive fashion. Every member of the legal profession, in active practice or in the field of legal instruction, will undoubtedly read the collection with interest and enjoyment. Those brilliant members of the bar, the prominent features of whose lives every reader of American history knows to some extent, are depicted in a new light—that of their legal attainments and their position at the bar. Of such men may be mentioned Patrick Henry, John Marshall, Daniel Webster. The sketches of those other lawyers, less well known outside the legal profession though of eminence in their particular field, such as William Tilghman, James Kent, Henry Wheaton, Lemuel Shaw, Reverdy Johnson, Charles O'Connor, David Dudley Field, are also of great interest to all and

a source of inspiration to the student and to the younger members of the bar. Space will not allow even an enumeration of the names of the fifty-nine subjects of the biographies or a criticism of the individual sketches. It is, however, possible to say that the work of the biographers as a whole is of a very high character of excellence, as is only to be expected when the eminence of the contributors is considered. Professor Lewis's edition of *Great American Lawyers* will undoubtedly rank as one of the first sources of American Legal history.

J. S. S.

THE MASSACHUSETTS LAW OF LANDLORD AND TENANT. By Prescott F. Hall. Second Edition. Boston: Little, Brown, and Company. 1908. pp. lxii, 619. 8vo.

The prediction made in the review of the first edition of this book, 13 HARV. L. REV. 314, that it would prove invaluable as a manual of ready reference, has been fulfilled. In 1903 a forty-seven page supplement, including the more recent Massachusetts cases, the references to the Revised Laws, and the legislation of 1903, was found necessary. And now a new edition giving a complete index of the decisions and statutes through 1907 has been demanded and published. The original arrangement has not been departed from in this second edition; but the topics, notably the sections on "Construction of Express Covenants and Provisions," and on "Bankruptcy and Receivership," are more fully dealt with. The text has been subdivided, and its use facilitated by a large increase in the number of section headings, all set in bold-faced type. Some dozen new forms are added to the useful appendix prepared for the earlier edition; and a convenient index of forms appears for the first time.

The local character of the work is, of course, still maintained. Much of Massachusetts real estate law peculiarly invites theoretical discussion. But Mr. Hall's purpose is primarily to serve the active practitioner by stating exhaustively the law, as far as possible in the language of the court and with sufficient fulness to save, in many instances, a resort to the original reports; and this aim, while not at variance with scientific discussion of legal doctrines, is best secured by the author's limiting himself to his admirable summary of the law as it is. The book should be on the shelf of every lawyer, trustee, and real estate broker in the Commonwealth.

J. W.

SELECT ESSAYS IN ANGLO-AMERICAN LEGAL HISTORY. By various authors: compiled and edited by a Committee of the Association of American Law Schools. In three volumes. Vol. II. Boston: Little, Brown, and Company. 1908. pp. viii, 823. 8vo.

The second volume of *Select Essays* will probably be consulted more often than the first. It is made up of twenty-five essays on the history of particular topics of the Law, grouped under the sub-topics of Sources, the Courts, Procedure, and Equity. There also are two valuable appendices containing a list of sources for continental mediæval law, and of sources for American colonial law.

Further notice of this volume is deferred until the appearance of Vol. III.

N. A.

THE JOURNAL OF THE DEBATES IN THE CONVENTION WHICH FRAMED THE CONSTITUTION OF THE UNITED STATES, May-September, 1787. As recorded by James Madison. Edited by Gaillard Hunt. In two volumes. New York and London: G. P. Putnam's Sons. 1908. pp. xvii, 392; vi, 461. 8vo.

The publishers' summary is correct and comprehensive: "These two volumes contain an historical document of the first importance — James Madison's com-